

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

JENNIFER WALKER

§ DOCKET NO.:

VERSUS

§ JUDGE

BROOKSHIRE GROCERY COMPANY
AND THE TRAVELERS INDEMNITY
COMPANY OF CONNECTICUT

§ MAGISTRATE JUDGE

NOTICE OF REMOVAL

NOW INTO COURT, through undersigned counsel, come **BROOKSHIRE GROCERY COMPANY and THE TRAVELERS INDEMNITY COMPANY OF CONNECTICUT**, who, respectfully represent that:

1.

Plaintiff, **JENNIFER WALKER**, has asserted a civil cause of action against **BROOKSHIRE GROCERY COMPANY and THE TRAVELERS INDEMNITY COMPANY OF CONNECTICUT**, seeking to recover damages for personal injuries allegedly sustained as a result of an alleged slip and fall which occurred on October 24, 2018, in Shreveport, Caddo Parish, Louisiana.

2.

Defendant, **BROOKSHIRE GROCERY COMPANY**, is incorporated in the State of Texas, and its principal place of business is in the State of Texas.

3.

Defendant, **THE TRAVELERS INDEMNITY COMPANY OF CONNECTICUT**, is a foreign insurance company organized under the laws of the State of Connecticut, with its principal place of business located in the State of Connecticut.

4.

Plaintiff, **JENNIFER WALKER**, is a domiciliary of the Parish of Caddo, State of Louisiana.

5.

The Petition for Damages of **JENNIFER WALKER** was filed in the First Judicial District Court, Caddo Parish, Louisiana, on July 8, 2019. A copy of the Petition is attached hereto as Exhibit "A".

6.

Although no responsive pleadings have been filed in the State Court proceeding, undersigned counsel does represent **BROOKSHIRE GROCERY COMPANY** and **THE TRAVELERS INDEMNITY COMPANY OF CONNECTICUT**, both of the defendants named in this case.

7.

Plaintiff has alleged in Article X of the original Petition that “this case involves damages in excess of \$75,000.00, exclusive of interest and costs.” Pursuant to 28 U.S.C. Section 1446(c)(2), this amount shall be deemed to be the amount in controversy.

8.

Plaintiff has further alleged in Article VIII of the Petition that plaintiff “sustained serious bodily injuries, including, but not limited, to her right knee, left hip, lower back, and other parts of her body and mind, together with loss of enjoyment of life, past and future mental anguish and physical suffering, past and future expenses for medical care, including expenses for travel to and from her physicians’ offices and permanent disability...”

9.

There is complete diversity of citizenship between the plaintiff and defendants.

10.

Brookshire Grocery Company was served with plaintiff’s Petition for Damages through its agent for service of process, CT Corporation, on July 19, 2019. Defendant Travelers Indemnity Company of Connecticut, was served with the original Petition through its agent of process, Louisiana Secretary of State, on July 19, 2019.

11.

This Removal is timely in that it is filed within thirty days from service of the Petition on both defendants.

12.

Pursuant to 28 U.S.C. Section 1332(a), this court has original jurisdiction over this matter.

13.

This matter is properly removable to the Western District of Louisiana, Shreveport Division, from State Court in Caddo Parish, Louisiana.

14.

Upon filing of this Notice of Removal, **BROOKSHIRE GROCERY COMPANY and THE TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** will give written notice to the plaintiff and will file a copy of the Notice of Removal with the Clerk of Court of the First Judicial District Court for the Parish of Caddo.

WHEREFORE, **BROOKSHIRE GROCERY COMPANY and THE TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** pray that this Notice of Removal be deemed good and sufficient and that the suit entitled “Jennifer Walker v. Brookshire Grocery Company, et al.,” Number 617693-C, on the docket of the First Judicial District Court, Caddo Parish, Louisiana, shall be removed to this Court and that the First Judicial District

Court, Caddo Parish, Louisiana, case shall proceed no further therein, unless the case is remanded.

Respectfully submitted,

LUNN IRION LAW FIRM LLC

P.O. Box 1534
Shreveport, LA 71165-1534
Phone: (318) 222-0665
Fax: (318) 220-3265
Email: jam@lunnirion.com

By: S/ James A. Mijalis
JAMES A. MIJALIS
Bar No. 17057
ATTORNEYS FOR DEFENDANTS, BROOKSHIRE
GROCERY COMPANY and THE TRAVELERS
INDEMNITY COMPANY OF CONNECTICUT

CERTIFICATE

I HEREBY CERTIFY that on August 15, 2019, a copy of the foregoing *Notice of Removal* was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to Mr. John Richards by operation of the court's electronic filing system and via email.

S/ James A. Mijalis
OF COUNSEL